

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
US DISTRICT COURT
★ APR 06 2015
BROOKLYN OFFICE
Levitt 4/6/15
(B)

TOM M. BALADI,

Plaintiff,

MEMORANDUM & ORDER
14-CV-4683 (MKB)

v.

JENNIFER CURTIS,

Defendants.

MARGO K. BRODIE, United States District Judge:

Plaintiff, Tom M. Baladi, incarcerated at Rikers Island at the time he mailed the Complaint, filed this *pro se* action pursuant to 42 U.S.C. § 1983 against Defendant Jennifer Curtis. Plaintiff seeks damages for his arrest on July 27, 2014. By Memorandum and Order dated December 22, 2014 (“Order”), Plaintiff was directed to file an amended complaint within thirty days or face dismissal of the Complaint. (Docket Entry No. 6.) On December 22, 2014, the Order was mailed to Plaintiff’s address of record, but was returned to the Court as undeliverable on January 5, 2015. (Docket Entry No. 7.) The Order was re-sent to Plaintiff on January 7, 2015, but was returned again on January 28, 2015. (Docket Entry No. 8.) On February 27, 2015, the Order was mailed to an alternative address mentioned on page three of the Complaint, 775 42nd Street, Apartment 2K, Brooklyn, New York 11232, but it too was returned to the Court, with the notations “moved” and “UTF [unable to forward].” (Docket Entry No. 9.)

“When a *pro se* litigant fails to provide the court with notice of a change of address and misses an important deadline as a result of this failure, a court may deny that litigant relief.” *Gonzalez v. Walker*, No. 10-CV-2896, 2011 WL 534358, at *1 (E.D.N.Y. Jan. 6, 2011) (citing

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Dong v. United States, No. 02-CV-7751, 2004 WL 385117, at *3 (S.D.N.Y. Mar. 2, 2004)). As the Court has no way to contact Plaintiff, it would be futile to issue any further orders, particularly because Plaintiff has not taken any steps to pursue this action since filing the Complaint on August 4, 2014. Accordingly, this matter is dismissed without prejudice.

SO ORDERED:

s/ MKB
MARGO K. BRODIE
United States District Judge

Dated: April 3, 2015
Brooklyn, New York